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18  
19 **UNITED STATES DISTRICT COURT**  
20  
21 **DISTRICT OF NEVADA**

22 2-WAY COMPUTING, INC., a Nevada  
23 corporation.,

24 v. Plaintiff,

25 AVAYA INC., a Delaware corporation, ,

26 Defendant.

27 CASE NO.: 2:15-cv-02233-MMD-CWH

28 **STIPULATION AND PROPOSED ORDER  
EXTENDING TIME FOR DEFENDANT  
TO RESPOND TO COMPLAINT (DOC. #1)**

1 **SECOND REQUEST**

2 Plaintiff 2-WAY COMPUTING, INC. (“Plaintiff”), and Defendant AVAYA INC.,  
3 (“Defendant”), by and through their undersigned counsel, hereby agree and stipulate as follows:

4 1. The current deadline for Defendant to respond or otherwise plead to the  
5 Complaint (Doc. #1) is February 5, 2016. *See* Doc. #11.

6 2. The parties agree and stipulate that the deadline for Defendant to answer or  
7 otherwise respond to Plaintiff’s Complaint (Doc. #1) shall be extended by thirty (30) days, until  
8 March 7, 2016.

3. This is the second request for an extension of this deadline. This Stipulation is made in good faith and not in an attempt to delay proceedings.

4. Nothing contained herein shall be deemed an admission or waiver of any right belonging to any party hereto.

## IT IS SO STIPULATED:

Dated this 1<sup>st</sup> day of February, 2016.

Dated this 1<sup>st</sup> day of February, 2016.

By: /s/ Mark Borghese  
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*Attorneys for Plaintiff*

*Attorneys for Defendants*

## IT IS SO ORDERED:

DATED February 5, 2016

*Curtis H. Haynes*  
UNITED STATES MAGISTRATE JUDGE

**CERTIFICATE OF SERVICE**

Pursuant to FRCP 5(b), I certify that I am an employee of BROWNSTEIN HYATT FARBER SCHRECK, LLP, and on this 1st day of February, 2016, I served the document entitled **STIPULATION AND PROPOSED ORDER EXTENDING TIME FOR DEFENDANT TO RESPOND TO COMPLAINT (DOC. #1) SECOND REQUEST**, on the parties listed below via the following:

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**VIA FIRST CLASS U.S. MAIL:** by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States mail at Reno, Nevada for delivery to the foregoing.

**VIA FACSIMILE:** by transmitting to a facsimile machine maintained by the person on whom it is served at the facsimile machine telephone number as last given by that person on any document which he/she has filed in the cause and served on the party making the service. The copy of the document served by the facsimile transmission bears a notation of the date and place of transmission and the facsimile telephone number to which it was transmitted.

**BY PERSONAL SERVICE:** by personally hand-delivering or causing to be hand delivered by such designated individual whose particular duties include delivery of such on behalf of the firm, addressed to the individual(s) listed, signed by such individual or his/her representative accepting on his/her behalf.

**VIA ELECTRONIC SERVICE:** by electronically filing the document with the Clerk of the Court using the ECF system which served the foregoing parties electronically.

/s/ Jeff Tillison

Employee of Brownstein Hyatt Farber Schreck, LLP